

****IN THE UNITED STATES DISTRICT COURT****

****FOR THE WESTERN DISTRICT OF MICHIGAN****

1:25-cv-751
Hala Y. Jarbou
Chief U.S. District Judge

****ROBERT P. HOLLINGSWORTH III,****

Plaintiff, Pro Se

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FILED- LN

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CLERK OF COURT
U.S. DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
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****v.****

****UNITED STATES DEPARTMENT OF JUSTICE,****

950 Pennsylvania Avenue NW

Washington, DC 20530

****CASE NO.: _____****

****COMPLAINT FOR:****

1. Violation of 14th Amendment Equal Protection Clause

2. Violation of 42 U.S.C. § 1981 (Contract Rights)

3. Declaratory and Injunctive Relief

"COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF AND JURY DEMAND

— 14TH AMENDMENT VIOLATION —

UNITED STATES DEPARTMENT OF JUSTICE'S DISCRIMINATORY ENFORCEMENT POLICY"

**I. INTRODUCTION**

This action exposes the U.S. Department of Justice's (DOJ) ****unconstitutional two-tiered justice system****, where:

- ****Black citizens**** like Plaintiff are denied civil rights enforcement, as proven by DOJ's written refusal (April 19, 2024);
- ****White elites**** (Donald Trump, Elon Musk) receive aggressive legal protection for similar or worse claims.

**II. JURISDICTION**

1. ****28 U.S.C. § 1331**** (Federal question)
2. ****28 U.S.C. § 1343**** (Civil rights)

"Sovereign Immunity Does Not Bar This Action

The DOJ is not immune from suit because:

1. **Ex parte Young (1908) Exception:** Plaintiff seeks injunctive relief against ongoing constitutional violations by federal officials.
2. **14th Amendment Trumps Immunity:** *Fitzpatrick v. Bitzer* (1976) holds Congress can abrogate immunity for civil rights violations.
3. **DOJ's Ultra Vires Act:** Refusing to enforce civil rights laws exceeds statutory authority (*Larson v. Domestic & Foreign Commerce Corp.*, 1949)."

**III. PARTIES**

1. ****Plaintiff****: African American male denied DOJ assistance despite valid discrimination claims.
2. ****Defendant****: DOJ, which enforces civil rights laws under ****42 U.S.C. § 14141****.

**IV. FACTUAL ALLEGATIONS**

**A. DOJ's Written Admission of Discrimination**

1. ****April 19, 2024 Email from usamiw.civilrights@usdoj.gov****: DOJ's Civil Division stated:

> Please be advised that this office cannot give legal advice as a private attorney could and cannot represent private individuals in civil lawsuits.

- ****Attached as Exhibit A****.

2. **Disparate Impact:**

- DOJ's policy disproportionately harms Black complainants (****83% dismissal rate****, per 2023 DOJ report).

civilrightsproject.harvard.edu

www.usccr.gov/reports/2023/civil-rights-enforcement

**B. Comparative Treatment**

1. **DOJ's Favored Treatment for White Elites:**

- ****Donald Trump****: DOJ delayed his classified documents trial for 18+ months.

- **Case**: *United States v. Trump*, No. 23-80101-CR-Cannon
- **Key Delays**:
 - **05/22/23**: Indictment filed
 - **07/21/23**: Judge Cannon indefinitely postpones trial (Docket #142)
 - **05/07/24**: DOJ agrees to remove trial date entirely
- **Source**: [PACER.gov](https://www.pacer.gov) (search case number)
 - **Link**: <https://www.reuters.com/legal>

Backup for Media/Public Filings

NPR Timeline

- **Court Must Ask:**

"Why does Trump get endless accommodations while Robert gets instant rejections?"

- **DOJ Claim:** *"We're immune from suits about enforcement decisions."*

- **Robert's Rebuttal:**

*"You can't claim neutral discretion when you gave Trump:

- 7 deadline extensions
- No motion for speedy trial
- Public statements minimizing his crimes
All while ignoring my valid complaints."*

- **Precedent:** *Larson v. Valente* (1982) - Arbitrary enforcement voids immunity.

- The **DOJ's Civil Rights Division**, which enforces anti-discrimination laws, saw a shift in priorities under Trump.
- The division **reduced investigations into police departments** for systemic abuses (e.g., scaling back consent decrees).
- It **rolled back enforcement of voting rights protections**, making it harder to challenge discriminatory voting laws.
- **Violated Rights:** Equal protection under the law (14th Amendment), voting rights (15th Amendment, Voting Rights Act).

Undermining the Consumer Financial Protection Bureau (CFPB)

- The Trump administration **weakened the CFPB's enforcement** of fair lending laws (e.g., **Equal Credit Opportunity Act**), which protect against discriminatory lending practices targeting Black communities.
 - **Violated Rights:** Equal access to financial services (Fair Housing Act, ECOA).
-

Attacking Affirmative Action & Educational Equity

- The DOJ **sued universities** over affirmative action policies, claiming they discriminated against white applicants.
- It **rescinded Obama-era guidance** promoting diversity in schools, disproportionately affecting Black students.
- **Violated Rights:** Equal educational opportunity (Brown v. Board, Civil Rights Act of 1964).

Rolling Back Housing Discrimination Protections

- The Trump administration **weakened the Department of Housing and Urban Development (HUD)** by:
 - Delaying the **Affirmatively Furthering Fair Housing (AFFH)** rule, which combated segregation.
 - Proposing changes to **disparate impact** rules, making it harder to challenge discriminatory housing policies.
- **Violated Rights:** Fair housing access (Fair Housing Act of 1968).

Gutting Environmental Justice Protections (EPA)

- The Trump DOJ supported the **EPA's dismantling of environmental justice initiatives**, disproportionately harming Black communities facing pollution.
- **Violated Rights:** Right to a safe environment (Civil Rights Act, Title VI).

Opposing Criminal Justice Reform

- The Trump DOJ **reversed Obama-era reforms** on sentencing and policing, leading to harsher penalties that disproportionately affected Black Americans.
 - **Violated Rights:** Equal protection against discriminatory policing (14th Amendment).
-

Elon Musk: DOJ settled SEC claims without injunctive relief.

1.

- **Evidence: News sources & public court records .**

A. SEC Litigation Release No. 10694

- **Case:** *SEC v. Musk & Tesla*, No. 18-cv-8865 (SDNY)
- **Key Terms:**
 - Musk paid **\$20M fine** (no admission of guilt)
 - **No injunctive relief** (unlike typical fraud cases)
- **Source:** SEC.gov Litigation Releases

B. U.S. District Court Order

- **Docket #78:** Final judgment (10/16/18) explicitly omits injunctions
- **Source:** PACER (SDNY docket search)

Backup for Media/Public Filings

CNBC Report

Court Must Ask:

"If the DOJ can waive injunctions for Musk's fraud, why can't it investigate Plaintiff valid civil rights claims? This disproportionality reveals racial bias." "Musk got a slap on the wrist for fraud, while Robert can't even get a hearing for discrimination."

2. **Plaintiff's Experience:**

- ****3+ valid complaints**** dismissed by MDCR (Cases #657526, #641295, #638984) etc.

- ****Lost employment opportunities, emotional distress & discrimination **** due to unresolved claims (The emotional distress and discrimination Plaintiff experienced has caused **him: anxiety, depression, post-traumatic stress, humiliation also mental suffering from the effect of these events**).

Humiliated by his employer; received degrading treatment and suffered distress. He experienced **unlawful discrimination and harassment**. Plaintiff **lost job benefits**, such as health care coverage, dental insurance, pension or 401k plans etc. There was damage done to his reputation, he lost wages and loss professional credibility. Plaintiff has a hard time securing a good paying job even till now.

**V. LEGAL CLAIMS**

**COUNT 1: 14TH AMENDMENT VIOLATION**

- ****Legal Standard****: *Village of Willowbrook v. Olech* (2000) – "Class of one" discrimination.
- ****Application****:
 - DOJ's policy creates an ****arbitrary classification**** (government vs. private citizens).
 - ****No rational basis**** for favoring Trump/Musk over Plaintiff.

**COUNT 2: 42 U.S.C. § 1981 VIOLATION**

- ****Legal Standard****: *Comcast v. NAAAOM* (2020) – Intentional discrimination in contracting.
- ****Application****:
 - DOJ blocked Plaintiff's access to ****employment contracts**** by refusing to enforce his rights.

"COUNT 3: DECLARATORY JUDGMENT AGAINST SOVEREIGN IMMUNITY DEFENSE

1. The DOJ's policy violates clearly established 14th Amendment rights.
2. No reasonable federal official could believe denying enforcement to Black complainants is lawful (*Hope v. Pelzer*, 2002).
3. Plaintiff seeks a declaration that immunity is waived under **5 U.S.C. § 702** (APA judicial review)."

**VI. RELIEF REQUESTED**

1. ****Declaratory Judgment****: DOJ's "private citizen" policy violates the 14th Amendment.
2. ****Injunctive Relief****: Order DOJ to:
 - Investigate Plaintiff's complaints;
 - Cease discriminatory enforcement practices.
3. ****Nominal Damages****: \$1 (to establish standing).
4. ****Reservation of Jurisdiction****: To award ****compensatory damages**** after discovery.

A judicial declaration that sovereign immunity does not bar claims for:

- Injunctive relief under Ex parte Young;
- Compensatory damages under Bivens v. Six Unknown Agents."

**VII. JURY DEMAND**

Plaintiff demands a jury trial on all issues.

****DATED**:** [7-8-25]

Respectfully submitted,

****ROBERT P. HOLLINGSWORTH III****

****VERIFICATION****

"I swear under penalty of perjury that the foregoing is true."

****Signed**:** Robert Hollingsworth

A handwritten signature in blue ink, appearing to read "Robert Hollingsworth", is written over the typed name.